

# Congress of the United States

Washington, DC 20510

July 06, 2022

The Honorable Lina Khan  
Chair  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580

Dear Chair Khan:

Thank you for your work to protect consumers from deceptive and unfair practices, particularly when it comes to safeguarding consumers' privacy. We write to you today to urge you to immediately use the full power of your office to protect those seeking abortion from predatory companies. We are extremely disturbed by evidence that data brokers have collected and sold location data that allows unscrupulous actors to target those seeking reproductive health care, including abortion care. The Supreme Court's recent ruling in *Dobbs v. Jackson Women's Health Organization*, which overturned a half century of legal precedent protecting the federal right to seek an abortion, makes this matter all the more urgent.

At the local, state, and federal level, efforts to stop women from making their own decisions about abortion care are increasing. These efforts have increased even though there is substantial evidence that being denied access to abortion has devastating and long-term effects on women's physical and mental health as well as economic security and stability.<sup>1</sup> Recent legislation, including Texas's Senate Bill 8, rewards vigilantes who track down women seeking abortions and those who assist them. Unsurprisingly, these laws pitting Americans against each other have led to predatory practices by individuals seeking to profit from persecuting women making personal and private health decisions.

Recently, reports in multiple news sources have detailed how people's digital data can be used to reveal whether they have searched for or visited an abortion clinic, sought mifepristone and misoprostol for medication abortions, or when their periods, ovulation, and pregnancy started and stopped. For example, in May 2022, SafeGraph, a location data firm, sold a week's worth of private location information of people visiting abortion clinics for only \$160.<sup>2</sup> This information includes where people visiting the clinics came from, the duration of time spent there, and where they went after leaving. SafeGraph has publicly stated it has voluntarily stopped selling this information. Yet stronger safeguards must be put in place to prevent abusive data practices that can lead to the investigation or prosecution of those seeking medical services, including abortions. The need for vigilant enforcement of established privacy standards is clear.

Consistent with current law, we are convinced these acts are unfair practices that "cause or are likely to cause substantial injury to consumers which is not reasonably avoidable by consumers

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<sup>1</sup> <https://www.ansirh.org/research/ongoing/turnaway-study>

<sup>2</sup> <https://www.vice.com/en/article/m7vzjb/location-data-abortion-clinics-safegraph-planned-parenthood>

themselves and not outweighed by countervailing benefits to consumers or to competition” ([15 U.S.C. § 45](#)). The collection and sale of this information creates a significant danger of substantial harm to the privacy rights of consumers, including safety and health injuries.

Specifically, we request that you immediately act within your authority to investigate these practices, issue warning letters to predatory actors as needed, and pursue robust enforcement against illegal acts.

We also encourage you to review all practices that rely on technology to conduct vigilante surveillance of people seeking health care. Anti-abortion extremists are increasingly turning to technology to increase surveillance of women, in support of their efforts to deny people the right to make their own decisions about their bodies, health, and lives. Already, Texas Right to Life has launched a hotline encouraging citizens to submit tips about who is seeking abortions. In addition, anti-abortion groups have been using geo-fencing technology in fertility apps to target women who visit health clinics with anti-abortion propaganda. Sadly, this breach of privacy and harassment may increase in light of the opinion in *Dobbs v. Jackson Women’s Health Organization*.

Thank you for your unwavering commitment to protect Americans from harmful business practices. No one should be hunted down and persecuted for seeking reproductive health care. We appreciate your assistance in this matter and look forward to your response.

Sincerely,



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Norma J. Torres  
Member of Congress



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Lizzie Fletcher  
Member of Congress



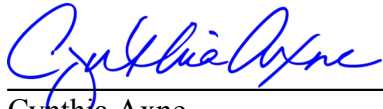
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Lori Trahan  
Member of Congress



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Zoe Lofgren  
Member of Congress



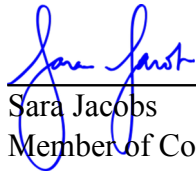
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Cynthia Axne  
Member of Congress



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Nikema Williams  
Member of Congress



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Sara Jacobs  
Member of Congress



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Mike Quigley  
Member of Congress



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James P. McGovern  
Member of Congress



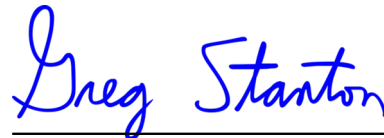
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Tom O'Halleran  
Member of Congress



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Joseph D. Morelle  
Member of Congress



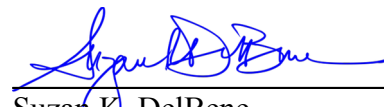
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Greg Stanton  
Member of Congress



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Earl Blumenauer  
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Suzan K. DelBene  
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Jake Auchincloss  
Member of Congress



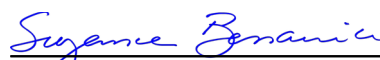
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Joaquin Castro  
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Susie Lee  
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Suzanne Bonamici  
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Eleanor Holmes Norton  
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Jim Costa  
Member of Congress



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Susan Wild  
Member of Congress



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Lloyd Doggett  
Member of Congress



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Gwen S. Moore  
Member of Congress



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Mark Takano  
Member of Congress



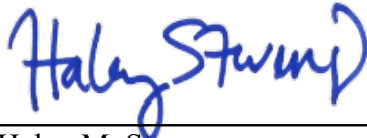
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Member of Congress



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Henry C. "Hank" Johnson, Jr.  
Member of Congress



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Member of Congress



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Rashida Tlaib  
Member of Congress



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Bill Foster  
Member of Congress



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Rick Larsen  
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Pete Aguilar  
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Ted W. Lieu  
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Kathleen M. Rice  
Member of Congress



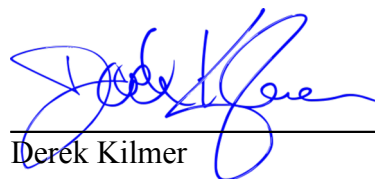
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Ruben Gallego  
Member of Congress



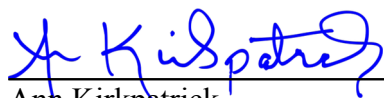
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Colin Z. Allred  
Member of Congress



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Derek Kilmer  
Member of Congress



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Ann Kirkpatrick  
Member of Congress



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Mark DeSaulnier  
Member of Congress



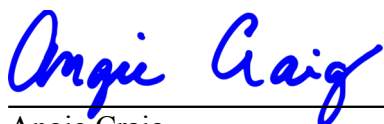
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Dina Titus  
Member of Congress



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Ann McLane Kuster  
Member of Congress



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Angie Craig  
Member of Congress



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Barbara Lee  
Member of Congress



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Adriano Espaillat  
Member of Congress



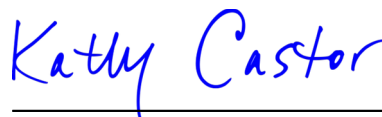
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Karen Bass  
Member of Congress



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Deborah K. Ross  
Member of Congress



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Kathy Castor  
Member of Congress



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Jackie Speier  
Member of Congress



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Sean Casten  
Member of Congress



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Josh Gottheimer  
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Frederica S. Wilson  
Member of Congress



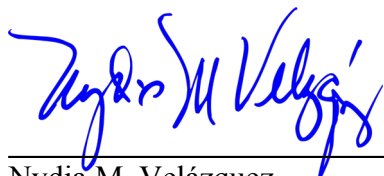
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Donald M. Payne, Jr.  
Member of Congress



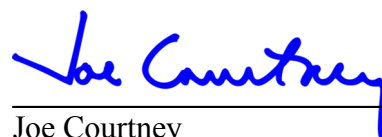
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Betty McCollum  
Member of Congress



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Nydia M. Velázquez  
Member of Congress



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Joe Courtney  
Member of Congress



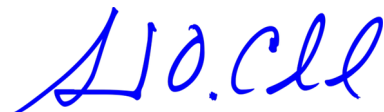
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Sheila Jackson Lee  
Member of Congress



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Peter Welch  
Member of Congress



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Salud Carbajal  
Member of Congress



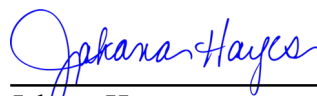
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Bonnie Watson Coleman  
Member of Congress



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Paul D. Tonko  
Member of Congress



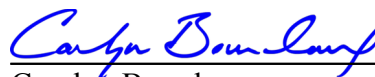
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Jahana Hayes  
Member of Congress



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Mike Thompson  
Member of Congress



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Carolyn Bourdeaux  
Member of Congress



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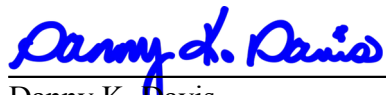
Doris Matsui  
Member of Congress



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Anna G. Eshoo  
Member of Congress





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Danny K. Davis  
Member of Congress



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Yvette D. Clarke  
Member of Congress  
Committee on Energy and  
Commerce



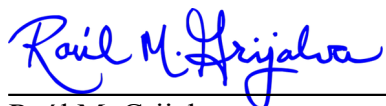
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Gerald E. Connolly  
Member of Congress



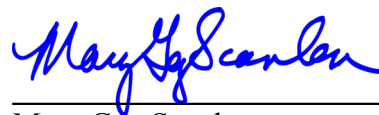
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Dwight Evans  
Member of Congress



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Raúl M. Grijalva  
Member of Congress



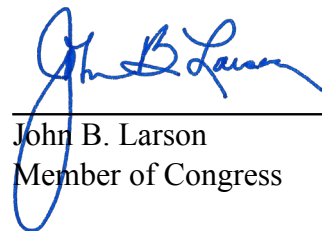
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Mary Gay Scanlon  
Member of Congress



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Carolyn B. Maloney  
Member of Congress



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John B. Larson  
Member of Congress